



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/810,646	03/03/1997	JEFFREY JACOBSEN	KPN96-03A2	9183
21005	7590	05/26/2004	EXAMINER	
HAMILTON, BROOK, SMITH & REYNOLDS, P.C. 530 VIRGINIA ROAD P.O. BOX 9133 CONCORD, MA 01742-9133			PIZIALI, JEFFREY J	
			ART UNIT	PAPER NUMBER
			2673	32

DATE MAILED: 05/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

08/810,646

Applicant(s)

JACOBSEN ET AL.

Examiner

Jeff Piziali

Art Unit

2673

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 22 April 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 6 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☒ A Notice of Appeal was filed on 22 April 2004. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-44.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


BIPIN SHALWALA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600


J.P.
24 May 2004

Continuation of 5. does NOT place the application in condition for allowance because:

Applicants' arguments filed 22 April 2004 (Paper No. 31) have been fully considered but they are not persuasive. The applicants contend Takahara et al. (US 5,436,635) teaches reducing the power consumption of a light source and does nothing to affect a control circuit. However, the examiner respectfully disagrees. The instant application broadly describes the control circuit as merely "receiving image data" and "generating display data based on image data" (see claim 1, lines 4-5). Moreover, a circuit is commonly defined as a closed path capable of being followed by an electric current — or in other words, a configuration of electrically connected devices. As clearly indicated by Takahara's Figure 22, the light source [211], "power supply circuit" [223], "display device drive circuit" [224], and "reproduction circuit" [225] have all been configured as a group of electrically connected devices forming a closed electrical path. Each above listed device is not separate from the others. On the contrary, each device [211 & 223-225] is electrically connected with the others, so as to form a single combined display control circuit — receiving image data (i.e. the "video signal") and generating display data based on that same image data (see Column 31, Lines 16-63). In this manner, as Takahara teaches reducing the power consumption of the light source (which the applicants themselves openly admit on page 2 of paper no. 31), so too Takahara inherently discloses power consumption reduction of the overall combined control circuit. Although Takahara's combined control circuitry provides greater overall functionality than the instant application's control circuit, Takahara's power managed control circuitry still reads on present claim language.

It is additionally noted that the applicants have presented no arguments addressing the provisional obviousness-type double patenting rejection of pending claims 1-44. As such, had the applicants' arguments pertaining to the 35 U.S.C. 103(a) rejection been persuasive; all pending claims would still have remained finally rejected anyway. By such reasoning, rejection of the claims is deemed necessary, proper, and thereby maintained at this time.